

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE MINUTES

Committee:	Commission on Criminal and Juvenile Justice
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Date:	1/18/2000	Time:	Noon	Place:	Governor's Board Room
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Members Present	Camille Anthony, Judge Joseph W. Anderson, Dan Becker, Rep. Afton Bradshaw, Gini Highfield (for Gary Dalton), Craig Dearden, Craig Barlow (for Jan Graham), Jesse Gallegos (for Pete Haun), Sen. Joseph Hull, Richard McKelvie, John T. Nielsen, Dr. James Mason, Michael R. Sibbett (Acting Chair), Ronald Vance, David Yocom.
Members Excused	Douglas Bodrero, Richard Hendricks, Gary Dalton, Pete Haun, Marilyn Sandberg, Jan Graham.
Members Absent	Georgia Block, Judge Sandra Peuler, Gregory Skordas, Mike Spanos.
Staff	Dave Walsh, Mary Lou Bozich, Susan Burke, Marvin Dodge, Ron Gordon, Mike Haddon, Justin Jones, Edward S. McConkie, Chevan Nanayakkara, Briant Smith, Doreen Weyland, Richard Ziebarth
Visitors	

Agenda Item:	Welcome, Michael R. Sibbett, Acting Chair
Notes:	Acting Chair Michael R. Sibbett introduced Dr. James Mason. Dr. Mason will replace Leon PoVey from Division of Substance Abuse. Also new to CCJJ is staff member Doreen Weyland.

Agenda Item:	Draft Crime Reduction Plan – Camille Anthony
Notes:	<p>Camille Anthony reported that the Crime Reduction Plan is ready to go to press. If anyone has changes, they need to be submitted in the next day or two. Camille reported that the only substantive change is on page 12 and is the addition of the drug continuum chart. An explanation on why we are taking the continuum approach was incorporated into the Plan.</p> <p>Chair Bodrero and Camille will present to the Appropriations Committee on Monday where they will distribute the final version.</p>

Agenda Item:	Draft CCJJ Annual Report – Camille Anthony
Notes:	<p>Camille Anthony reported that the CCJJ Annual report is in a draft and abbreviated format. The report is testament to how much CCJJ has accomplished over the past year. Please submit any changes or comments in the next day or two to Camille to enable the report to be finalized and printed. The final will also include a 1-2 page report from USAAV, a report from the Sentencing Commission and a report from the Crime Reparation Board.</p>

Agenda Item:	Meeting Schedules – Acting Chair Sibbett
Notes:	<p>Acting Chair Sibbett reported the dates for the following meetings:</p> <p><u>CCJJ COMMISSION</u> February 8, 2000 Noon - 2:00 pm February 22, 2000 Noon - 2:00 pm Both meetings will be in the Governor's Board Room with lunch.</p> <p><u>EXECUTIVE COMMITTEE</u> January 21, 2000 3:00 - 5:00 pm January 27, 2000 3:00 - 5:00 pm February 3, 2000 Noon - 2:00 pm (w/Lunch) All meetings will be in the CCJJ Conference Room.</p>

Agenda Item:	2000 Crime Legislation – Ron Gordon
Notes:	<p>Ron Gordon presented a list of legislative bills that CCJJ will be tracking throughout the session. The list is not conclusive and will be revised on the Internet at the time any action is taken.</p> <p>He reviewed the section on the positions taken by different organizations. If an * appears, it constitutes a preliminary position. If no comment is received on the preliminary position within seven days, the preliminary position becomes the final position of CCJJ.</p> <p>If an action is listed as N/P; the Commission may believe that it falls within their realm, but have chosen to take no position. Camille Anthony proposed that to expedite review of the bills, the position of the Executive Commission stands unless a vote to change the status is made.</p> <p>The Executive Committee agreed to hold all decisions on weapons legislation for one specific meeting dedicated solely to this issue.</p> <p>Action was taken on the following legislative bills:</p> <p><u>HB0014</u>: Rep. Afton Bradshaw inquired as to why the status of this bill is being held? She was informed that we were waiting for USAAV input. Commissioner Dearden made a motion to change the position to <i>support</i>. David Yocom seconded. The motion was unanimously approved.</p> <p><u>HB0016</u>: Discussion was held on the position of the Commission. Commissioner Dearden made a motion to change the position to <i>support</i>. David Yocom seconded. The motion was unanimously approved.</p> <p><u>HB0026</u>: Commissioner Dearden stated that while law enforcement currently has the ability to impound, this bill will enhance the current statute. Commissioner Dearden made a motion to change the position to <i>support</i>. David Yocom seconded. The motion was unanimously approved.</p>

HB0034: Commissioner Dearden questioned why this bill would need to be introduced when they already have a criminal stalking statute. Richard McKelvie stated that the criminal statute needs law enforcement involvement, whereas a civil statute would allow an individual to file a complaint. Commissioner Dearden made a **motion** to change the position to *support*. Rep. Afton Bradshaw seconded. **The motion was unanimously approved.**

HB0040: Commissioner Dearden explained that this bill would allow law enforcement to take possession of the wildlife that was killed while the perpetrator was trespassing. Currently, the perpetrator is allowed to keep the wildlife (if obtained on a valid license) and only pay a fine for the trespassing charge. Commissioner Dearden stated that the fine alone is not a deterrent. Commissioner Dearden made a **motion** to have CCJJ *support* this bill. David Yocom seconded. **The motion was unanimously approved.**

HB0052: Waiting for feedback from rules of evidence committee. Camille Anthony suggests that we continue to hold awaiting outcome.

HB0161: Hold for separate Commission meeting on weapons.

HB0162: Mary Lou Bozich stated that a substitute bill is being prepared. Rep. Afton Bradshaw made a **motion** to change the position to *support in concept*. Dr. James Mason seconded. **The motion was unanimously approved.**

HB0163: (and SB0075) designates Consumer Protection to take the lead. The concepts are the same with both bills. Commissioner Dearden made a **motion** to change the position to *support* HB0163 and to take *no position* on SB0075. David Yocom seconded. **The motion was unanimously approved.**

HB0168: USAAV will review this bill on Friday to decide what position they will take. CCJJ continues to have *no position* at this time.

HB0169: (with HB0014) Commissioner Dearden stated that he supports Rep. Arent's bill on this. Mary Lou Bozich reported on USAAV's position. Camille Anthony indicated that she believes the sponsors of both bills will get together on these issues. Dr. James Mason made a **motion** to change the position to *support in concept* for both HB0014 and HB0169. Ronald

	<p><u>HB0173</u>: Acting Chair Sibbett stated his concerns that there were still some issues that needed to be resolved on this bill, including whether or not the forfeiture extended to the family computer equipment. He suggested that the Commission maintain their <i>support in concept</i> status.</p> <p><u>HB0174</u>: Commissioner Dearden explained that this bill would eliminate the need for a legislative bill in both houses in order to raise certain fees (i.e., driver's license fee). With this bill, the increase in certain fees would only need to be presented to the appropriations committee. Sen. Hull indicated that there was a bill in progress that, if passed, would make this issue moot.</p> <p><u>HB0176</u>: Hold for separate Commission meeting on weapons.</p> <p><u>HB0180</u>: Ron Gordon explained the portion of freeway described as the gore and that this bill would make it illegal to cross over. Commissioner Dearden made a motion to <i>support</i> this bill. Richard McKelvie seconded. The motion was unanimously approved.</p> <p><u>HB0181</u>: Commissioner Dearden made a motion to <i>support</i> this bill. Rep. Afton Bradshaw seconded. The motion was unanimously approved.</p> <p><u>HB0202</u>: The Sentencing Commission will look at this bill and report back to CCJJ.</p> <p><u>HB0208</u>: Mary Lou Bozich indicated that this bill will be coming through the Ad Hoc Task Force. Commissioner Dearden suggested that the position remain <i>hold</i> due to the conflict of identifying which vehicles will be subjected to the interlock system. Acting Chair Sibbett suggested that the position be changed to <i>support in concept</i>. Commissioner Dearden made a motion to change the position to <i>support in concept</i>. Judge Anderson seconded. The motion was unanimously approved.</p> <p>It was stated that the Executive Commission will take a combined position of <i>support in concept</i> on this bill.</p>
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	<p><u>HB0209</u>: Commissioner Dearden reported that this bill allows for a double surcharge on impound fees in addition to additional sentencing options. Commission Dearden made a motion for the Commission to <i>support</i> this bill. Dr. James_Mason seconded. The motion was unanimously approved.</p> <p><u>HB0222</u>: David Yocom explained the bill in its current form. The commission will leave their position as <i>support</i>.</p> <p><u>HJR002</u>: The Commission agreed to leave this bill on <i>hold</i>.</p> <p><u>SB0008</u>: Commissioner Dearden stated that he needs to make sure of local law enforcement's position on this bill. Craig Barlow will contact the Attorney General to find out her position on this bill. Commissioner Dearden requested the position to remain as <i>no position</i> until the reports are back.</p> <p><u>SB0012</u>: Commission Dearden suggested that the Commission continue to support this bill.</p> <p><u>SB0014</u>: It was stated that the current hate crime law was declared unconstitutional. This bill would be more usable and constitutional than the existing law.</p> <p><u>SB0015</u>: This will be addressed at the next Commission meeting. It was stated that the next payment from the Tobacco companies is scheduled for April. Currently there is only \$15.4 million available. The bill as it stands exceeds this amount.</p> <p><u>SB0016</u>: Hold for separate Commission meeting on weapons.</p> <p><u>SB0032</u>: Hold for separate Commission meeting on weapons.</p> <p><u>SB0075</u>: (with <u>HB0163</u>) designates Consumer Protection to take the lead. The concepts are the same. Commissioner Dearden made a motion to change the position to <i>support</i> <u>HB0163</u> and to take <i>no position</i> on <u>SB0075</u>. David Yocom seconded. The motion was unanimously approved.</p> <p><u>SB0079</u> Hold for separate Commission meeting on weapons.</p> <p><u>SB0087</u> Hold for separate Commission meeting on weapons.</p>
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	<p>Camille Anthony presented one additional bill not currently on the list:</p> <p><u>SB0037</u>: Public Schools Surveys Amendment (Montgomery) CCJJ and USAAV need the data that this bill will provide. Senator Hull made a motion to <i>support</i>. Dr. James Mason seconded. The motion was unanimously approved.</p>
	<p>Ron Gordon informed the Commission that the list of bills followed by CCJJ will be posted on the web site. The list will be updated as soon as any action is taken by the legislature or the Executive Committee.</p> <p>Commissioner Dearden made a motion to accept all pieces of legislation as currently discussed by the Commission. Dan Becker seconded. The motion was unanimously approved.</p>

Agenda Item:	William Pelfrey Study – Camille Anthony
Notes:	<p>Camille Anthony reported that the Executive Committee received a preliminary report from William Pelfrey. The report validates the crime statistics information CCJJ has reported for Utah. Ms. Anthony stated that Mr. Pelfrey is available to come to Salt Lake to present his study on Thursday (Senate) 3:00-5:00 and Friday (House) 8:00-10:00 this week. She urged everyone to try to be in attendance at one of these two meetings.</p> <p>Ms. Anthony also reported that William Pelfrey is invited to St. George in the Spring to present his study at EDI. He will be giving a two-hour presentation at that time.</p>

Agenda Item:	Adjourn
Notes:	<p>Acting Chair Sibbett adjourned the meeting at approximately 2:00 pm. The next meeting will be February 8, 2000, at noon in the Governor's Board room.</p>

Minutes prepared by Doreen Weyland
Administrative Assistant, CCJJ